

Senate File 499 - Reprinted

SENATE FILE 499
BY COMMITTEE ON GOVERNMENT
OVERSIGHT

(SUCCESSOR TO SSB 1184)

(As Amended and Passed by the Senate April 11, 2017)

A BILL FOR

1 An Act prohibiting the use of certain monitoring devices
2 in certain locations open to the public, and including
3 effective date provisions.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 27.1 Definitions.

2 1. For purposes of this section:

3 a. "*Monitoring device*" means a digital video or audio
4 streaming or recording device that is part of a system of
5 monitoring activity in an area or building using a system in
6 which signals are transmitted from a video camera or microphone
7 to the receivers by cables or wirelessly, forming a closed
8 circuit.

9 b. "*Public hospital*" means a hospital licensed pursuant to
10 chapter 135B and governed pursuant to chapter 145A, 263, 347,
11 347A, or 392.

12 c. "*Public library*" means a library district as described
13 in chapter 336.

14 d. "*Public school*" means a school district as described in
15 chapter 274.

16 e. "*Reasonable expectation of privacy*" means a person's
17 reasonable belief, under the circumstances, that the person can
18 disrobe or partially disrobe in privacy without being concerned
19 that the person is being viewed, photographed, or filmed when
20 doing so.

21 Sec. 2. NEW SECTION. 27.2 Monitoring devices prohibited.

22 The state or a political subdivision of the state, including
23 but not limited to a public library, public school, or
24 other government office open to the public, shall not use a
25 monitoring device in a toilet, bath, or shower facility; locker
26 room; common area within such a facility or room, including an
27 area where a sink or changing table is located; or other space
28 open to the public where a person has a reasonable expectation
29 of privacy.

30 Sec. 3. NEW SECTION. 27.3 Removal of monitoring devices.

31 On or before July 1, 2017, the state or a political
32 subdivision of the state, including but not limited to a public
33 library, public school, or other government office open to the
34 public, using a monitoring device in a toilet, bath, or shower
35 facility; locker room; common area within such a facility or

1 room, including an area where a sink or changing table is
2 located; or other space open to the public where a person has a
3 reasonable expectation of privacy shall cease use of and remove
4 the monitoring device.

5 Sec. 4. NEW SECTION. **27.4 Limitation on political**
6 **subdivisions.**

7 On July 1, 2017, any ordinance, resolution, rule, or other
8 measure adopted or enforced by a political subdivision of the
9 state permitting the use of a monitoring device in a toilet,
10 bath, or shower facility; locker room; common area within such
11 a facility or room, including an area where a sink or changing
12 table is located; or other space open to the public where a
13 person has a reasonable expectation of privacy is void.

14 Sec. 5. NEW SECTION. **27.5 Public hospital exception.**

15 This chapter does not apply to a public hospital where use
16 of a monitoring device is necessary to protect the health or
17 safety of a patient during a patient's course of treatment.

18 Sec. 6. EFFECTIVE UPON ENACTMENT. This Act, being deemed of
19 immediate importance, takes effect upon enactment.